THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO :5331 of 2007

DATED: 15-03-2007

BETWEEN:

P.Khalikulla Khan.

..... PETITIONER

AND

The Commissioner of Police,
Hyderabad & 2 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the impugned memo No.46/Madannapet/05, dated 25-05-2005, as illegal, and arbitrary, and consequently direct the respondent authorities to grant licence for N.P.Bore Revolver to the petitioner at least even as a measure of exchange for the present licence, which the petitioner is holding for D.B.B.L.Gun.

3. It is stated that the petitioner has obtained the licence for N.P.Bore Revolver, and D.B.B.L. gun at Anantapur District vide licence bearing No.25-80/A.Vol-II and purchased only one weapon i.e., D.B.B.L.gun. The said licence was obtained in 1992 and admittedly, the second weapon has not been purchased. He has shifted his residence from Anantapur to Hyderabad, and now the petitioner wants to purchase the second weapon and accordingly he has filed a representation, dated 07-04-2005, before the 2nd respondent-Deputy Commissioner of Police, Hyderabad, seeking permission to purchase the N.P.Bore Revolver, and the said representation has been rejected by the impugned order holding that the request of the petitioner for grant of permission to possess one N.P.Bore Revolver as second weapon in his existing arms

licence from 46/Madannapet is rejected.

4. Now, the learned counsel appearing for the petitioner submits that the petitioner is ready to surrender or dispose of the existing D.B.B.L.gun and wants to purchase the N.P.Bore revolver, but that is not the request made by the petitioner before the concerned authorities.

5. Having regard to the facts and circumstances, the Writ Petition is dismissed with a liberty to make such a request by way of representation before the concerned authority and if any such representation is made it is for the concerned authority to consider and dispose of the same in accordance with law. No order as to costs.

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V.ESWARAIAH, J

15th March, 2007
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